

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

JAMES GHAI SAR, et al.,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 1:19-cv-1224
)	(CMH/IDD)
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

DEFENDANT’S OBJECTIONS TO PLAINTIFFS’ LIST OF TRIAL EXHIBITS

Pursuant to this Court’s Order of January 15, 2020 (Dkt. No. 17), May 1, 2020 (Dkt. No. 34), and June 25, 2020 (Dkt. No. 39), Defendant, through its undersigned counsel, hereby respectfully submits the following objections to Plaintiff’s proposed exhibits (Dkt. Nos. 52, 54-1) for the trial of the above-captioned matter.

OBJECTIONS

These objections reflect the present status of the above-captioned matter. As such, by not objecting to certain exhibits on grounds of relevance, Defendant does not waive such objections in the event that any exhibit becomes irrelevant because of this Court’s ruling on any potential motion for summary judgment or motion in limine to be filed in advance of trial, or to suggest that certain topics are pertinent to any claim that may remain against Defendant.

Additionally, several of these objections are objections only to the introduction and admission of the exhibit as affirmative evidence presented by Plaintiffs, and as such, Defendant reserves the right to utilize and admit particular exhibits, including as impeachment or through expert witnesses pursuant to Fed. R. Evid. 703, if necessary. Further, some of these objections (especially on the basis of relevance or hearsay) relate solely to Plaintiffs’ claims against

Defendants, and in this respect, Defendants take no position on whether the exhibit in question would be admissible against any other party.

Defendant reserves the right to waive any of these objections, to interpose objections based on authentication, foundation, and, depending on usage, hearsay, and to add to these objections based on any ruling this Court might enter on Defendant's motion for summary judgment and/or motions in limine.

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
1	Virginia Chief Medical Examiner Autopsy Report	Ghaisar_US_000885 US-00005411	Ghaisar_US_000897 US-00005434	Misleading (Fed. R. Evid. 403; document described does not match exhibit provided); Cumulative (Fed. R. Evid. 403; exhibit consists of two full and one partial copies of the same document)
2	Medical records from Inova Fairfax Hospital	US-00007109	US-00008557	
3	Arlington Emergency Dispatch Recording	Ghaisar_US-001116	Ghaisar_US-001116	
4	USPP Dispatch Recording	US-00006797	US-00006797	
5	USPP Dispatch Recording	US-00000752	US-00000752	
6	Fairfax County Dispatch Recording	US-00010165	US-00010165	

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
7	Video of Incident	US-000011274	US-000011274	
8	Autopsy report of Dr. S. Chittenden	Ghaisar_US_002628	Ghaisar_US_002640	
9	Medical records of Bijan Ghaisar from Inova Fairfax Hospital	Ghaisar_US_000903	Ghaisar_US_000903	
10	Summary of FBI Interview of Daniel Gohn	US-00002343-069	US-00002343-085	Hearsay (Fed. R. Evid. 802)
11	Traffic Crash Report	US-00001039	US-00001042	
12	USPP General Order on Vehicular Pursuits	US-00011666	US-00011674	Cumulative (Fed. R. Evid. 403); cumulative of Pl. Ex. 18)
13	USPP General Order on Use of Force	US-00000030	US-00000033	
14	November 18, 2017 Email	AV000022	AV000022	
15	May 1, 2018 Email	US-00018461	US-00018461	Relevance (Fed. R. Evid. 401); Confusing the issues (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403)
16	April 26, 2018 Memorandum	AV000020	AV000020	Relevance (Fed. R. Evid. 401); Confusing the issues (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403)

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
17	Summary of FBI Interview of Camille Fleenor	US-00002096	US-00002097	Relevance (Fed. R. Evid. 401); Undue delay (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
18	USPP General Order on Vehicular Pursuits	US-00000058	US-00000066	Cumulative (Fed. R. Evid. 403); cumulative of Pl. Ex. 12)
19	2013 complaint against Alejandro Amaya and investigation	US-00000754	US-00000768	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
20	2014 complaint against Alejandro Amaya and investigation	US-00000769	US-00000784	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
21	2016 complaint against Alejandro Amaya and investigation	US-00000817	US-00000832	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
22	Summary of FBI Interview of James Ghaisar	US-00003049	US-00003056	Hearsay (Fed. R. Evid. 802)
23	Summary of FBI Interview of Negeen Ghaisar	US-00003025	US-00003031	Hearsay (Fed. R. Evid. 802)

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
24	Summary of FBI Interview of Idean Marvastian	US-00003752	US-00003758	Hearsay (Fed. R. Evid. 802)
25	USPP IMARS incident details for November 17, 2017	US-00001287	US-00001289	
26	2008 complaint against Lucas Vinyard and investigation	US-00000887	US-00000892	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
27	2012 complaint against Lucas Vinyard and investigation	US-00000924	US-00000945	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)
28	2013 complaint against Lucas Vinyard and investigation	US-00000946	US-00000963	Relevance (Fed. R. Evid. 401); Confusing the issue (Fed. R. Evid. 403); Undue delay (Fed. R. Evid. 403); Undue prejudice (Fed. R. Evid. 403); Hearsay (Fed. R. Evid. 802)

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
<p>If the Court grants Plaintiffs' motion to amend their exhibit list, <i>see</i> Dkt. No. 54, Defendant asserts the following objections to the proposed exhibits (Ex. Nos. 29-36) added in that motion, <i>see</i> Dkt. No. 54-1. Defendant further objects to Exhibits 29-36 in that Plaintiffs have failed to produce copies of these proposed exhibits to Defendant as required by the Court's January 15, 2020 Order (Dkt. No. 17). Defendant thus reserves the right to interpose any additional objections upon receipt of the proposed exhibits.</p> <p>Additionally, Defendant incorporates by references its objections interposed in the each of the following depositions as if fully set forth herein.</p>				
29	Transcript of Deposition Testimony of Alejandro Amaya			Relevance (Fed. R. Evid. 401); Hearsay (Fed. R. Evid. 802)
30	Transcript of Deposition Testimony of Lucas Vinyard			Relevance (Fed. R. Evid. 401); Hearsay (Fed. R. Evid. 802)
31	Transcript of Deposition Testimony of Daniel Gohn			Relevance (Fed. R. Evid. 401); Improper expert opinions (Fed. R. Evid. 701(c)); Hearsay (Fed. R. Evid. 802)
32	Transcript of Deposition Testimony of John Dillon			Relevance (Fed. R. Evid. 401); Improper expert opinions (Fed. R. Evid. 701(c)); Hearsay (Fed. R. Evid. 802)
33	Transcript of Deposition Testimony of Jacob Sipe			Relevance (Fed. R. Evid. 401); Hearsay (Fed. R. Evid. 802)
34	Transcript of Deposition Testimony of Robert MacLean			Relevance (Fed. R. Evid. 401); Improper expert opinions (Fed. R. Evid. 701(c)); Hearsay (Fed. R. Evid. 802)
35	Transcript of Deposition Testimony of Urey Patrick			Hearsay (Fed. R. Evid. 802)

EX.	PLAINTIFF'S DESCRIPTION	BEGINNING BATES NO.	ENDING BATES NO.	OBJECTION
36	Transcript of Deposition Testimony of Stan Smith			Hearsay (Fed. R. Evid. 802)

Respectfully submitted,

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